

Honolulu, Hawaii

APR 04 2016

RE: H.B. No. 2169
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred H.B. No. 2169, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO SOCIAL WORKERS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the adoption of rules to clarify the supervision requirements for licensure of clinical social workers, including the criteria for supervision by videoconferencing or other electronic means.

Your Committee received testimony in support of this measure from the National Association of Social Workers, Hawaii Chapter; and five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that social workers in Hawaii who are working to complete their licensed clinical social worker requirements must complete three thousand hours of supervised work experience, one hundred hours of which must be by direct face-to-face supervision. Your Committee further finds that certain social workers, particularly those living on the neighbor islands or in rural areas, and those employed by the United States Department of Veterans Affairs, may experience difficulty meeting the direct face-to-face supervision requirement. This is especially true for social workers in rural areas, as there are a limited number of rural social workers who are qualified to



provide supervision for applicants for licensure as clinical social workers.

According to the Department of Commerce and Consumer Affairs, statutorily amending the supervision requirements for licensed clinical social workers to permit supervision via a video conference service will provide clinical social workers with additional flexibility when meeting supervision requirements, while also ensuring the integrity of supervised experience for all licensed clinical social workers seeking licensure in other jurisdictions. Your Committee notes that the Department has been working on language to provide this additional pathway for supervision and has discussed its proposed language with interested stakeholders, who have indicated their support. Amendments to this measure, which incorporate language suggested by the Department of Commerce and Consumer Affairs, are therefore necessary.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that, of the minimum of one hundred hours of supervision required for licensure as a clinical social worker:
 - (A) At least sixty of the one hundred hours of direct face-to-face supervision shall have been individualized supervision; and
 - (B) Not more than forty hours of direct face-to-face supervision may have been under small group supervision;
- (2) Clarifying the evidence of certification that will satisfy the work experience under supervision requirements;
- (3) Clarifying the supervision required for licensure as a clinical social worker, including that the supervision shall have included review of assessment, clinical diagnosis, and psychotherapy;
- (4) Specifying that supervision conducted electronically shall be selected in collaboration with the supervisor and conducted through a video conference service that is compliant with all federal and state privacy, security,



and confidentiality laws, including the Health Insurance Portability and Accountability Act of 1996;

- (5) Specifying that an applicant is responsible for determining the impact of electronic supervision on the applicant's eligibility for licensure by endorsement in other states;
- (6) Deleting language that would have authorized the adoption of rules to clarify the supervision requirements for licensure of clinical social workers, including the criteria for supervision by videoconferencing or other electronic means;
- (7) Amending its effective date to upon its approval; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2169, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2169, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">HB 2169, HD2</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">CPH</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3-29-16</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
KIDANI, Michelle N. (VC)	/			
ESPERO, Will	/			
IHARA, Jr., Les	/			
NISHIHARA, Clarence K.				/
RUDERMAN, Russell E.	/			
SLOM, Sam				/
TOTAL	5			2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-left: 50px;">Michelle N. Kidani</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

*Only one measure per Record of Votes